

DRAFT



Governor's Council for Workforce and Economic Development

BYLAWS

Table of Contents

Article I	Organization
Article II	Purpose
Article III	Membership
Article IV	Structure
Article V	Procedures
Article VI	Communications
Article VII	Conflict of Interest
Article VIII	Amendment of Bylaws

DRAFT

ARTICLE I ORGANIZATION

Section 1.01 Name The name of the organization shall be the Governor's Council for Workforce and Economic Development hereafter known as the Governor's Council.

Section 1.02 Mission The mission of the Governor's Council shall be to develop, recommend and implement wealth-generating policies and programs within the workforce system, helping all Oklahomans to achieve the American Dream.

Section 1.03 Area Served The Governor's Council shall serve the State of Oklahoma and the Local Workforce Development Areas and Regional Labor Markets therein.

Section 1.04 Legal Authority for Governor's Council Senate Bill 612 passed by Oklahoma's 55th legislature, in accordance with Section 101 of the Workforce Innovation and Opportunity Act of 2014 establishes the Governor's Council as an advisory body to the Governor.

ARTICLE II PURPOSE

Section 2.01 Responsibilities of the Governor's Council The Governor's Council shall operate in accordance with the functions contained in Section 101 (d) of the Workforce Innovation and Opportunity Act (WIOA) to oversee Oklahoma's Workforce Development System. The purpose of the Council shall be to:

1. Guide the development of a comprehensive and coordinated workforce development system for the state and monitor its operation; and
2. Review and make recommendations that will align the workforce system, including education, with the economic development goals of the state for the purpose of creating workforce and economic development systems that are integrated and shall provide Oklahoma a competitive advantage in a global economy.

ARTICLE III MEMBERSHIP

Section 3.01 Membership Members of the Governor's Council representing organizations, agencies, or other entities shall be individuals with optimum policymaking authority within their organizations, agencies or entities. In order to provide the Governor with wide-range perspective on workforce policy issues, the members of the

DRAFT

Governor's Council shall represent diverse regions of Oklahoma, including urban, rural, and suburban areas from both the public and private sectors.

A majority of the Council shall come from described private sector employers, including owners of businesses, chief executives or operating officers of businesses and other business executives or employees with optimum policymaking or hiring authority, and who represent businesses, including small businesses, that provide employment opportunities that, at a minimum, include high-quality, work-relevant training and development in in-demand industry sectors or occupations in this state.

The Governor's Council shall be comprised of:

- A. The Governor
- B. Two members of each chamber of the State Legislature, appointed by the appropriate presiding officers of each such chamber;
- C. Representatives appointed by the Governor, who:
 - 1. are owners of businesses, chief executives or operating officers of businesses, and other business executives or employees with optimum policymaking or hiring authority, including members of local boards and
 - 2. represent businesses with employment opportunities that reflect the employment opportunities of the State and
 - 3. are appointed from among individuals nominated by State business organizations and business trade associations;
- D. Representatives of labor organizations, who have been nominated by State labor federations;
- E. A representative who shall be a member of a labor organization or a training director, a joint labor-management apprenticeship program, or if no such joint program exists in the State, such a representative of an apprenticeship program in the State;
- F. Representatives of community-based organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of individuals with barriers to employment, including organizations that serve veterans or that provide or support competitive, integrated employment for individuals with disabilities;
- G. Representatives of organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of eligible youth, including representatives of organizations that serve out-of-school youth;

DRAFT

- H. The lead state officials with primary responsibility for WIOA programs;
- I. Chief elected officials representing both cities and counties; and
- J. Such other representatives and State agency officials as the Governor may designate.

Section 3.02 Term Structure The Governor may establish terms of appointment or other conditions governing appointment or membership on the Governor's Council. Council members shall be appointed for two-year terms on a staggered basis. Members shall continue to serve until a replacement is appointed by the Office of the Governor. Should a vacancy occur during a term of office, reappointments by the Office of the Governor will be made for the duration of that term. All initial terms of office shall start on November 1 after receiving notification by letter from the Office of the Governor specifying an explanation of the term structure.

ARTICLE IV STRUCTURE

Section 4.01 Governor's Council Chair and Vice-Chair The Governor shall designate the Chair from the business representatives of the Governor's Council. The Chair shall serve at the discretion of the Governor. The Chair shall appoint a Vice-Chair from the business representatives. In the event that the Chair does not serve an entire term, the Governor shall appoint a new Chair.

Section 4.02 Committees There shall be five standing committees, the Executive Committee, the Oversight Committee, the Finance Committee, the Youth Program Committee, and the Health Workforce Committee.

- A. Executive Committee - The Executive Committee is comprised of the Governor's Council Chair, the Vice-Chair, and the Chair from each of the Council's committees. The Executive Committee shall act in place of the Governor's Council only when necessary. This committee is governed by the Open Meetings Act. It shall convey to the Governor recommendations posed by the Governor's Council, prepare the agenda for the State Board meetings, approve the direction of the Strategic Plan, develop the areas for tasks required for committees as required, appoint Teams and Chairs, respond to the needs of the Governor's Council and its Governor's Council members, and make personnel decisions and recommendations.

DRAFT

- B. Workforce System Oversight Committee – The committee will provide program governance, policy and capacity building for the Local Workforce Development Boards and partnerships. This committee is governed by the Open Meetings Act.
- C. Finance Committee – The Finance Committee will provide fiscal governance, policy and performance guidance for the Local Workforce Development Boards and partnerships.
- D. Youth Program Committee – The Youth Program Committee will provide policy and performance guidance for the development and implementation of WIOA youth funded programs.
- E. Health Workforce – The Health Workforce Committee will inform, coordinate, and facilitate statewide efforts to ensure that a well-trained, adequately distributed, and flexible health workforce is available to meet the needs of an efficient and effective health care system in Oklahoma.

Section 4.03 Teams All preliminary work in the preparation of matters for Council action shall be performed by committees or Teams. Teams are appointed for a special purpose and will exist until their task is deemed completed by the Governor’s Council Executive Committee. In general, Teams are formed to carry out the mission and vision, and to meet the goals as outlined in the Governor’s Council Strategic Plan.

All Governor’s Council members are expected to take an active role in at least one Governor’s Council committee or Team.

Teams or committees shall be established, as needed, by the Governor’s Council Chair. The Governor’s Council Chair shall appoint Team Chairs from the private sector members of the Governor’s Council.

ARTICLE V PROCEDURES

Section 5.01 Meetings The Governor’s Council shall ratify all business it conducts and recommendations it makes through votes at Governor’s Council meetings.

- A. The purpose of Governor’s Council meetings is strategic discussion and decision-making. Information exchange is to be handled through committee/Team meetings and pre-meeting materials. No materials are to be distributed during a Governor’s Council meeting for action at that Governor’s Council meeting.

DRAFT

- B. The Governor's Council shall schedule quarterly meetings. Meetings may be cancelled for lack of business action items or for lack of a quorum.
- C. A quorum exists when 50% or one-half of the total membership is in attendance at any duly called meeting.
- D. It is expected that Governor's Council members shall attend and participate in every Governor's Council meeting.
- E. The Governor's Council meetings will be the model structure that local boards can emulate which will include spending meeting time on discussion of substantive issues and not individual program.

Section 5.02 Member Replacement Policy If a member, which is statutorily or not statutorily required, is absent from two meetings in a twelve (12) month period, the Governor's Council Oversight Committee shall recommend to the Executive Committee that a request be made to that individual's Appointing Authority for a replacement to the Governor's Council for Workforce and Economic Development member. If a third consecutive absence occurs, the recommendation from the Executive Committee to the Office of the Governor will be to replace this individual.

Section 5.03 Voting Rights Each member of the Governor's Council shall be entitled to one vote. Any act of a majority of the members present at a Governor's Council meeting when a quorum is established shall constitute an official act of the Governor's Council. The Governor's Council feels it is the fundamental right that a vote is limited to the members of the Council who are actually present at the time the vote is taken in a regularly scheduled meeting, therefore proxy voting is prohibited.

Section 5.04 Public Nature of Meetings All meetings must be in compliance with the Oklahoma Open Meetings Act.

Section 5.05 Conduct The rules contained in Robert's Rules of Order, latest edition, shall govern the proceedings of the Governor's Council and its committees in all cases in which they are applicable and in which they are not inconsistent with the bylaws of the Governor's Council.

ARTICLE VI COMMUNICATIONS

Section 6.01 Minutes of the Meeting A record shall be made of all meetings of the Governor's Council in accordance with the requirements of the Oklahoma Open

DRAFT

Meetings Act. Staff will submit draft minutes to the Governor's Council Chair for recommendation for approval within thirty days. Minutes are then presented at the next Governor's Council meeting for full Governor's Council approval.

Section 6.02 Routine Communication Communication with Governor's Council Members shall be primarily by electronic mail.

Section 6.03 Meeting Packets Packets consisting of a tentative agenda and information that should be reviewed prior to a Governor's Council meeting, will be distributed seven (7) days prior to the date of the Governor's Council meeting. Distribution will be by electronic mail unless the volume of mail prohibits.

Section 6.04 Notice of Meetings Notice of Governor's Council and/or Governor's Council Team meetings will be posted to the website www.oklahomaworks.gov and communicated to the Governor's Council via electronic mail.

Section 6.05 Media Communications Any information to be disseminated in the name of the Governor's Council must be approved by the Council Chair through the Oklahoma Office of Workforce Development.

ARTICLE VII CONFLICT OF INTEREST

Section 7.01 Conflict of Interest Governor's Council members may not:

- A. Vote on a matter under consideration by the Governor's Council regarding the provision of services by such member (or by an entity that such member represents) or
- B. Vote on a matter under consideration by the Governor's Council that would provide direct financial benefit to such member or the immediate family of such member or
- C. Engage in any other activity determined by the Governor to constitute a conflict of interest as specified in the State strategic workforce development plan.

Section 7.02 Code of Conduct The conflict of interest article of these bylaws sets forth standards governing the performance of members of the Governor's Council and officers, employees, and agents of the Governor's Council who are engaged in the award and administration of contracts and purchases.

DRAFT

Section 7.03 Declaration of Possible Conflicts Governor's Council members must declare, on the record, possible conflicts of interest when:

- A. The member or immediate family member is a volunteer board member of a non-profit bidding organization.
- B. The member is voting on an indirect affirmation of a contract relationship.

For the purpose of Article VII, "immediate family members" include the spouse, son, son-in-law, daughter, daughter-in-law, mother, mother-in-law, father, father-in-law, brother, brother-in-law, sister, sister-in-law, aunt, uncle, niece, nephew, stepparent, stepchild, grandparent, and grandchild.

ARTICLE VIII AMENDMENT OF BYLAWS

Section 8.01 Procedure The Governor's Council on Workforce and Economic Development bylaws may be amended at a Governor's Council meeting by the affirmative vote of two-thirds of the Governor's Council members present and voting at a Governor's Council meeting where a quorum is present, provided that the proposed amendment was submitted in writing to Governor's Council members for their review at least seven business days prior to such Governor's Council Meeting.

Section 8.02 Effective Date Amendments shall be effective immediately upon adoption unless specified otherwise by Governor's Council vote.

End of Governor's Council on Workforce and Economic Development Bylaws.